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Scott Streater, E&E News reporter

Published: Wednesday, October 25, 2017

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<http://bit.ly/2lfzC9o>

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<http://bit.ly/2gHtULU>

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<http://bit.ly/2izciSM>

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Michael Doyle, E&E News reporter

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Bats have friends perched in high places, which the unique flying mammals may need to survive.

<http://bit.ly/2xnUyMW>

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1. Email release aims to thwart sage grouse collusion claims

Scott Streater, E&E News reporter

Published: Wednesday, October 25, 2017

An oil and gas industry trade group voluntarily released email exchanges that recommended the Interior Department make significant changes to Obama-era greater sage grouse conservation plans.

Denver-based Western Energy Alliance released dozens of emails between it and officials with Interior and an agency review panel after a watchdog group on Monday filed a federal lawsuit against the department (Greenwire, Oct. 23).

The Western Values Project lawsuit claims Interior has not responded to a Freedom of Information Act request seeking records concerning the oil and gas industry's involvement in the proposed changes to the federal grouse plans.

WVP's complaint, filed in the U.S. District Court for the District of Columbia, says its Aug. 19 FOIA request sought correspondence between Interior officials and oil and gas industry representatives, particularly Western Energy Alliance.

The watchdog group has maintained that the suggestions for significant changes to the federal plans by a review team established by Interior Secretary Ryan Zinke mirrored almost exactly the recommendations Western Energy Alliance sent the team in July (E&E News PM, Aug. 17).

But the emails released by the alliance today don't indicate that Western Energy Alliance had a large impact on the review team, or the Bureau of Land Management's decision this month to reopen the federal plans for public input on possible changes.

The emails include the July 19 letter from the alliance to the Zinke review team outlining potential changes to the plans that had already been published months ago.

Kathleen Sgamma, Western Energy Alliance's president, said that the alliance was hardly alone in asking the Trump administration to change the federal grouse blueprint, and that the trade group is being singled out.

"As much as WVP would like to discredit the rewrite that Interior has just undertaken, the fact is that a whole range of stakeholders across the West has been pushing for the changes," Sgamma said in a statement.

"States, counties, ranchers, mining and environmental groups all sued over the 2015 plans, as did the Alliance, because the process was so flawed," she added. "WVP is choosing to focus on the Alliance because environmental groups like to make the oil and natural gas industry the boogeyman."

She also called on "WVP and all environmental groups engaged on sage grouse issues ... to follow our lead and release all their communications with the Interior Department between August 2011, when BLM embarked on its sage grouse planning strategy, and September 22, 2015 when the final sage grouse plans were announced" by former Interior Secretary Sally Jewell.

"Then it will become obvious which groups really colluded improperly with the government," she wrote.

Jayson O'Neill, WVP's deputy director, dismissed the alliance's move to release the emails, calling it "nothing short of an oil and gas lobby group trying to distract from getting their hand caught in the cookie jar."

He added in an emailed statement: "It does not let Secretary Zinke's department off the hook from releasing public documents that influenced their decision to overhaul and rollback sage-grouse habitat protections across the West. We already know that Secretary Zinke is meeting regularly with his industry allies."

Meanwhile, WVP continues to challenge the oil and gas industry on the sage grouse issue.

The group today released an [analysis](#) suggesting that member companies associated with the Western Energy Alliance hold leases on more than a million acres of sage grouse habitat and stand to benefit most if the federal plans are weakened.

"There are currently over 6.5 million acres of oil and gas leases in sage-grouse habitat designated for heightened protection under BLM's plans," the analysis says. "Within this habitat, WEA Companies are five of the largest lease-owners, including three of the four largest."

[Click here](#) and [here](#) to read the Western Energy Alliance emails.

<http://bit.ly/2lfzC9o>

2. Data disclosure bill would restrict industry leasing

Pamela King, E&E News reporter

Published: Wednesday, October 25, 2017

A new piece of legislation to force the federal government's release of oil and gas permitting data would have ramifications for industry as well.

Under a provision of a [bill](#) introduced yesterday by California Rep. Alan Lowenthal (D), companies with more than 100 approved but unused applications for permit to drill (APDs) would be blocked from purchasing new leases.

The "Having Open Access to Relevant Data Act," or "HOARD Act", followed reporting by E&E News that the Bureau of Land Management planned to stop collecting the number of APDs that BLM had approved but that energy firms had yet to use ([Energywire](#), Oct. 11). The bill calls on Interior Secretary Ryan Zinke to disclose those data annually ([Greenwire](#), Oct. 24).

Conservation groups use the data to demonstrate that oil and gas companies are holding permits that they never intend to use, prohibiting other uses on the public lands they're claiming. Trade groups point to a backlog of applications as evidence that burdensome processes at BLM are actually constricting extraction of federally owned hydrocarbons.

The bill, backed by Democrats, seems unlikely to gain traction in a Congress controlled by Republicans, said Kathleen Sgamma, president of the Western Energy Alliance.

"We'd love to see an efficient, well-run BLM permitting operation that approved permits in the 30 days required by law so that companies wouldn't have to apply for so many permits in advance," she said.

"Since that's not the case and permits routinely take even as much as two years, companies have to obtain many permits well in advance of when they intend to use them," Sgamma added. "When market and other conditions change and companies' plans likewise change, that government inefficiency leads to excess permits."

During fiscal 2016, BLM took on average 257 days to process an APD, according to data provided by the agency. BLM's acting director, Mike Nedd, said this month that average APD processing time is currently under 100 days.

BLM does not comment on pending legislation, but spokesman Derrick Henry said the agency continues to look at ways it can make its permitting process more efficient.

"The BLM remains committed to increasing the effectiveness of its oil and gas program in support of the administration's priorities on energy development and job creation," he said.

A leaked list of "priority work" for President Trump's BLM includes shrinking the APD backlog. In July, Zinke signed a [secretarial order](#) to support expediting APD approvals. Zinke's directive is in line with a broader "energy independence" agenda set by the president just two months after his inauguration. The March 28 executive order instructed agencies to release fossil fuels industries from unnecessary regulatory "burdens" at the federal level ([Energywire](#), Oct. 24).

The new administration is moving swiftly toward the goals laid out in the order.

<http://bit.ly/2gHtULU>

3. Leaked strategic plan touts energy, omits climate

[Brittany Patterson](#), E&E News reporter

Published: Wednesday, October 25, 2017

Development on public lands will play a key role in allowing America to "achieve and maintain" energy dominance, according to a leaked draft of the Interior Department's fiscal 2018-22 strategic plan.

The high-level [document](#) obtained by E&E News lays out the goals, strategies and guiding principles for the 10 bureaus and 70,000-odd employees at the sprawling agency.

The plan, first reported by *The Nation*, lays out six "mission areas," or focal points. The first is to conserve land and water in a science-based and partnership-oriented way. The second is to use natural resources managed by Interior to generate revenue for the American people.

The document also lays out plans to expand access to public lands and outdoor recreation, fulfill trust responsibilities to the Native American tribes and U.S. territories under its jurisdiction, protect Interior employees and the U.S. border, and take a 100-year view toward agency organization and infrastructure updates.

While many of the graphics and layout of the draft document mirror the current strategic plan, which covers fiscal 2014-18, there are some major differences.

The sharpest break is on Interior's policy toward acknowledging and dealing with the threat of climate change. None of the objectives touches on the impacts of a changing climate on public lands or the agency's role in adapting to them. "Climate change" appeared 46 times in the previous strategic plan. It does not appear in the new draft.

"They don't even mention climate change, and while they discuss adaptation, they don't mention what they are adapting to," Joel Clement, Interior's former leading official working on climate change, who resigned earlier this month after being reassigned, wrote in an email. "This is an Alice in Wonderland strategy, a complete embarrassment to agency leadership."

The draft strategic plan also spells out a series of "guiding principles," overarching themes to guide the actions undertaken by agency. In the next five years, Interior Secretary Ryan Zinke envisions an Interior whose workforce is empowered and has "effective and accountable leadership" from the top down.

Mirroring language Zinke has often repeated in speeches and congressional testimony, the plan also calls for the restoration of trust between the department and American people. Interior is also committed to striking a regulatory balance in accordance with President Trump's February regulatory reform executive order and will ensure the nation's public lands and offshore waters "are managed wisely and made accessible for public use to help generate revenues and grow the U.S. economy."

The document, which is marked with "Draft (9/27/17)" in bright red text, appears to be just that. Under the "letter from the secretary" section, a headshot of Zinke sits next to text that reads "Letter will be included in the December, 2017, submission."

Interior press secretary Heather Swift said in an email she was "unaware of their supposed 'leaked draft'" and did not respond to a request to verify its authenticity.

<http://bit.ly/2yMyL2V>

4. Poll: Majority of Utah residents want to shrink Bears Ears

Published: Wednesday, October 25, 2017

A slight majority of Utahans think the new Bears Ears National Monument is too large, but more than half are against breaking up Grand Staircase-Escalante into smaller monuments, according to a new poll.

The poll commissioned by *The Salt Lake Tribune* and the University of Utah's Hinckley Institute of Politics suggests the views of state leaders may not be aligned with those of their voters.

The findings also suggested that female and young voters were more likely to support the size of the two monuments.

Bears Ears and Grand Staircase-Escalante are among more than two dozen national monuments under evaluation by Interior Secretary Ryan Zinke.

The poll of 605 registered voters had a 4-point margin of error. Fifty-one percent of respondents favored shrinking Bears Ears, while 37 percent were opposed and 12 percent undecided. Twenty-seven percent supported breaking up Grand Staircase-Escalante, and 53 percent opposed the idea. Nineteen percent said they didn't know (Brian Maffly, *Salt Lake Tribune*, Oct. 24). — **CS**

<http://bit.ly/2z789wD>

5. Driller's 'public' meetings over new project anger critics

Published: Wednesday, October 25, 2017

Oil and natural gas driller Crestone Peak Resources is under fire in Colorado for excluding critics from public meetings about plans to expand drilling in Boulder County.

The company had promised the state's Oil and Gas Conservation Commission that it would hold public meetings with potentially affected residents.

But an in-person meeting slated for last week ended up being invitation-only, extended to about 140 property owners in a half-mile radius of the proposed new wells.

Among those who were turned away at that meeting were state Rep. Mike Foote and state Sen. Matt Jones, both Democrats. The legislators were eventually allowed in, but not before Jones recorded video of security guards refusing him entry and uploaded it to his Facebook page.

"On Wednesday Crestone Peak held a meeting, but it was anything but a public meeting," Jones wrote. "Rep. Mike Foote and I watched in shock as Crestone Peak restricted access by making it an exclusive gathering, complete with hired muscle aimed at keeping out folks who didn't have an invitation of some kind."

A follow-up teleconference held by Crestone the next day was also invitation-only, and residents' questions were screened in advance. The company says it will hold another meeting over telephone Nov. 2 where residents can give input.

Scrutiny has mounted in the state over oil and gas operations after an explosion that killed two people at their Firestone home was linked to problems on a nearby natural gas pipeline (Christopher Osher, *Denver Post*, Oct. 24). — **DI**

<http://bit.ly/2xnox7P>

6. Companies likely to post long-elusive profit

Published: Wednesday, October 25, 2017

Investor interest in coal is seeping back toward the industry, as rising global prices help lift several prominent coal producers back into the black.

Flat demand for electricity and gains from renewables remain a significant source of doubt for coal's longer-term future. But in the short term, some investors see fewer risks.

Peabody Energy Corp. is expected to post a third-quarter profit when it kicks off sector reporting today, with at least two other producers likely to report a profit, as well.

The industry has benefited from high prices for two different types of coal used in steelmaking and power generation, as China moves to curb production.

"Check one is that management teams are returning cash to shareholders," said Jeremy Sussman, an analyst at Clarksons Platou Securities Inc. "Check two is that coal prices are holding up. Check three is whether the companies can have solid enough operational results, and by and large their results have been pretty good" (Tim Loh, Bloomberg Markets, Oct. 24). — **DI**

<http://bit.ly/2izciSM>

7. Researchers and lawmakers shed new light on bat woes

Michael Doyle, E&E News reporter

Published: Wednesday, October 25, 2017

Bats have friends perched in high places, which the unique flying mammals may need to survive.

The Interior Department declared Bat Week 2017. On Capitol Hill yesterday, a House hearing room was turned over to bat specialists. And a foundation announced new grants to fund scientists finding creative ways like UV light to fight a devastating disease.

All of which illuminates the dark space currently inhabited by vulnerable bat populations.

"They're pretty cool," Rep. Glenn Thompson (R-Pa.) said during yesterday's briefing in the Longworth House Office Building. "However, bats have a problem right now."

In particular, the fungal disease called white-nose syndrome wiped out more than 6 million bats between the winter of 2006-07 and 2012. Officials say many more have died since then (Greenwire, Aug. 28). Caused by a soil-based fungus called *Pseudogymnoascus destructans*, or *Pd*, white-nose syndrome has been found in more than 30 states and five Canadian provinces. So far, nine bat species have been found to be infected out of about 45 species in the United States.

"Bats face unprecedented threats, and there is no more important time than the present to do what we can, where we are, to help them," Paul Cryan, a research biologist at the U.S. Geological Survey's Fort Collins Science Center in Colorado, said yesterday.

This week, Interior Secretary Ryan Zinke signed the official Bat Week 2017 proclamation.

Yesterday, Cryan joined Jeremy Coleman, national white-nose syndrome coordinator for the Fish and Wildlife Service, and other experts in the afternoon briefing designed to educate congressional staffers and, perhaps, to rally support.

Later, the specialists mingled with staffers and farmers who rely on bats for pest control at a reception in the Rayburn House Office Building.

"You may have heard that a single little brown bat can eat 1,000 mosquitoes per night or that a certain colony of free-tailed bats in Texas can gobble up a couple hundred tons of insects per night," Cryan stated at the briefing held in the House Agriculture Committee's room.

At about the same time in Houston, the National Fish and Wildlife Foundation announced more than \$1.36 million in grants to combat white-nose syndrome and promote bat survival.

The grants were awarded through the Bats for the Future Fund, a public-private partnership of the foundation, several federal agencies, Shell Oil Co. and Southern Co.

The projects supported by the six grants will test a variety of treatments including a vaccine, a probiotic cocktail, anti-fungal disinfectants and treatment with ultraviolet light.

"These six projects show real promise to stop white-nose syndrome in its tracks," Amanda Bassow, the foundation's Northeastern regional director, said in a statement.

The Forest Service, for instance, will use a grant to test the effectiveness of UV light to selectively target the *Pd* fungus. Previous studies have shown that UV light "may be an effective tool for management of *Pd*," the Bats for the Future Fund stated.

Long-wave UV light directed at the wings of bats with white-nose syndrome produces a distinctive orange-yellow fluorescence, providing researchers with a key detection tool. The new research will examine whether short-wave UV light can kill the fungus.

Another funded project at Thompson Rivers University in Canada will develop and test a probiotic blend of bacteria and fungi found on bat wings, applying it to bat roosts in an effort to prevent the disease.

Earlier this year, the Fish and Wildlife Service distributed \$1,016,784 in bat-related grants to 37 states and the District of Columbia. Part of the funding came from FWS's "Science Support" component, which the Trump administration's fiscal 2018 budget proposal would have eliminated (Greenwire, July 17).

<http://bit.ly/2xnUyMW>